

ATLANTA CITY COUNCIL

ACTION MINUTES

OCTOBER 01, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, October 01, 2012. The Meeting convened at 1:14 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

PRESIDER(S): The Honorable Council President Ceasar C. Mitchell presided. The Honorable Council President Pro Tempore Kwanza Hall presided a portion of the meeting.

Attendance: The following (14) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall *2:16	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr.	The Honorable Keisha Bottoms *1:27
The Honorable Cleta Winslow *1:27	The Honorable Joyce M. Sheperd
The Honorable Alex Wan *1:27	The Honorable Michael J. Bond *1:27
The Honorable Howard Shook	The Honorable Aaron Watson
The Honorable Yolanda Adrean	The Honorable H. Lamar Willis

Councilmember Natalyn M. Archibong was Absent.

*** Indicates arrivals (with time noted) occurring after convening roll call.**

INVOCATION: Reverend Frank Cornelius Brown of Mt. Olive Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE: In Unisom the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council that the **Action/Minutes** of the **Atlanta City Council's September 17, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Councilmember Adrean made a **Motion** to **Amend the Agenda** by moving the Standing Committee of **Zoning to report 3rd**; however, Councilmember Shook offered a **Friendly Amendment to move the Standing Committee of Community Development/Human Resources** to report **first**, followed by **Zoning**. Councilmember Moore further **Amended** by moving the **Public Safety and Legal Administration Committee to report third** so the order will be

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Community Development/Human Resources Committee, Zoning Committee, Public Safety and Legal Administration Committee and continue with the Standing Committees as listed. Subsequently, the Motion to **Amend** the Agenda **CARRIED** by a roll call vote of **12 yeas; (Councilmembers Smith, Young, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 nays.** The Motion to **Adopt as Amended** was Moved, Properly Seconded and **CARRIED** by a roll call vote of **12 yeas; (Councilmembers Smith, Young, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 nays.**

COMMUNICATIONS

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Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 12-C-1329 (1) A Communication by **Municipal Clerk Rhonda Dauphin Johnson** submitting a report of administrative corrections made to previously adopted legislation between the Council's regular meeting dates of September 17, 2012 and October 01, 2012 to the Atlanta City Council in accordance with Section 2-275 of the Atlanta City Code of Ordinances. (12-O-1261)
FILED WITHOUT OBJECTION
- 12-C-1391 (2) A Communication by **Councilmembers Aaron Watson, Post 2 At-Large; Natalyn Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7 and Yolanda Adrean, District 8** appointing Mr. Winston L. Minor to the Commission honoring Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-1392 (3) A Communication from **Jim Daws, President, International Association of Fire Fighters, Local 134, to Council President Ceasar C. Mitchell**, submitting Captain Silas Kevil as their representative to serve on the Commission honoring Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-1393 (4) A Communication from **Fire Chief Kelvin L. Cochran, to Council President Ceasar C. Mitchell**, submitting Chief William Hamer as the Fire-Rescue Department's representative to serve on the Commission honoring Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-1394 (5) A Communication from **Dr. R. L. White, President, National Association for the Advancement of Colored People (NAACP) Atlanta Branch, Unit 5163, to Council President Ceasar C. Mitchell**, submitting Reginald Eaves as the NAACP's representative to serve on the Commission honoring Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

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COMMUNICATIONS (CONT'D)

- 12-C-1395 (6) A Communication from **Christi Jackson, Chair, NPU-K, to Councilmember Michael Julian Bond**, appointing herself as the representative to serve on the Commission honoring Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-1396 (7) A Communication by **Councilmembers Michael Julian Bond, Post 1 At-Large; Carla Smith, District 1; Kwanza Hall, District 2; Ivory Lee Young, Jr., District 3 and Clela Winslow, District 4** appointing Mr. N. Josiah Pamoja to serve on the Commission honoring Atlanta's first African-American Fire Fighters and Fire Station #16.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-C-1397 (8) A Communication by **Councilmembers Clela Winslow, District 4; Ivory Lee Young, Jr., District 3 and Michael Julian Bond, Post 1 At-Large** appointing Mr. Booker Randall to serve as a member of the Water and Sewer Appeals Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.
REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

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Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

12-O-1004 (1) An Ordinance by **Councilmember Michael J. Bond as Substituted by Public Safety and Legal Administration Committee as Substituted by the Atlanta City Council** amending Part II (General Ordinances), Chapter 43 (Commercial Solicitation) of the Code of Ordinances of the City of Atlanta to declare it unlawful aggressive solicitation for one to commercially solicit a person by touching the person solicited; to require individuals convicted of aggressive solicitation to be sentenced to a term of imprisonment in the City of Atlanta Detention Center not to exceed 180 days; and for other purposes.

Municipal Clerk Rhonda Dauphin Johnson sounded the caption and Veto letter from Mayor Kasim Reed regarding ordinance 12-O-1004. No objection from Council, the Mayor Veto Sustained.

VETO SUSTAINED WITHOUT OBJECTION

UNFINISHED BUSINESS

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Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of item 12-R-0997 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

CONSENT AGENDA SECTION I, as follows, received Favorable Recommendations in each Committee and all items were collectively Adopted by a single roll call vote in accordance with Section 11.2 of the Rules of Council as follows: 13 Yeas *(Councilmembers Smith, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 Nays.*

SECTION I

ORDINANCES FOR SECOND READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 12-O-1056 (1) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2004 Water and Wastewater Bond Fund 5058) Budget in the amount of \$7,000,000.00 to transfer funds from the 2004 Water and Wastewater Bond Project Reserve for Appropriations and add to appropriations for the Supplemental Program Management Services Project; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 12-O-1129 (2) An Ordinance by Councilmembers **C. T. Martin and Keisha Lance Bottoms as Substituted by Community Development/Human Resources Committee** to provide for the remittance of bi-weekly reports of Building Permit Applications received and Building Permits issued for Commercial Development within certain areas of the City, as identified herein, by the Office of Buildings to members of City Council within such areas to allow such members to share pertinent information of such development with their constituents; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-1179 (3) An Ordinance by **Community Development/Human Resources Committee** adopting the City of Atlanta 2013-2017 Capital Improvements Program (CIP)-Short Term Work Program (STWP) components of the Comprehensive Development Plan (CDP); and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D) **JOYCE SHEPERD, CHAIR**

12-O-1180 (4) An Ordinance by **Community Development/Human Resources Committee** amending the 2013 (Job Training Grant Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$130,000.00 in the YouthBuild AmeriCorps Fund from YouthBuild USA, to provide guidance and assistance for low-income young people ages 16-24 with Leadership Development and Community Service Training while working toward getting their GED or High School Diploma; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

12-O-1181 (5) A **Substitute** Ordinance by **Community Development/Human Resources Committee** to authorize the Mayor or his designee to accept a grant in the amount of \$53,200.00 for the purpose of funding the newly developed Atlanta Teen Leaders Program, a program funded from the National Recreation and Parks Association by the Wal-Mart Foundation; and amending the FY2013 Budget (Intergovernmental Fund) by adding to anticipations and appropriation in the amount of \$53,200.00; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 13 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE **MICHAEL J. BOND, CHAIR**

12-O-1167 (6) An Ordinance by **Public Safety and Legal Administration Committee** accepting grant modifications to Grant Award G11GA0003A from the White House Office of National Drug Control Policy ("ONDCP") and amending the 2013 (Intergovernmental Grant Fund) Budget, by adding to anticipations and appropriations, \$5,170.00, with no matching funds, bringing Grant Award G11GA0003A to a new total of \$5,655,098.00, for the purpose of continuing the Atlanta High Intensity Drug Trafficking Area Task Force ("Atlanta HIDTA"); to disrupt and dismantle drug trafficking organizations; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

12-O-1168 (7) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2013 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$629,277.00 for the FY2012 Edward Byrne Memorial Justice Assistance Grant ("JAG") Award from United States Department of Justice; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

12-O-1169 (8) An Ordinance by **Public Safety and Legal Administration Committee** to accept a sub-grant from the Georgia Emergency Management Agency ("GEMA"), to aid the City of Atlanta's ongoing efforts to protect itself from terrorist attacks, through the purchase or specialized equipment for the Department of Police ("Department") Airport Explosive Ordinance Disposal Unit ("Airport EOD"), and to amend the 2013 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$25,000.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

12-O-1170 (9) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Cherokee Avenue, SE and Woodward Avenue, SE a Four-Way Stop controlled intersection; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

12-O-1171 (10) A **Substitute** Ordinance by **Transportation Committee** to convert 19th Street, NW from Spring Street, NW to approximately 140 feet east of Spring Street, NW, between Spring Street, NW and West Peachtree Street, NW from a One-Way Street to a Two-Way Street; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 12-O-1172 (11) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Berne Street, SE and Marion Place, SE a Four-Way Stop controlled intersection; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-1195 (12) A **Substitute** Ordinance by **Transportation Committee** authorizing the Mayor or his designee to execute documents that would grant a Permanent Sanitary Sewer Easement and Temporary Construction Easement to the City of Dallas, Georgia across a portion of property owned by the City of Atlanta located in Paulding County, Georgia, said property being located in Land Lots 386, 387, 388, 390, 451 and 453 of the 19th District, Paulding County; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-1321 (13) An Ordinance by **Councilmember Kwanza Hall** to provide for On Street Parking on one side of Cain Street between Boulevard and Jackson Streets in the Old Fourth Ward; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-O-1038 (14) An Ordinance by **Public Safety and Legal Administration Committee as Substituted (#2) and amended by Finance/Executive Committee** authorizing the Chief Financial Officer to create four Trust Accounts and Deposit Funds currently held in separate bank accounts maintained by the Atlanta Police Department; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 12-O-1199 (15) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, and authorizing the Mayor, on behalf of the City of Atlanta, to negotiate for and accept approximately 0.105 acre of property located at 71 Weatherby Street from Environs Residential Design and Construction or the current land owner to be designated as park land for the purpose of expanding the existing Lang Carson Park; with all closing costs, due diligence expenses, development costs and purchase services for the City of Atlanta to be paid at closing by Atlanta BeltLine, Inc., through a donation from the Atlanta BeltLine Partnership in an amount not to exceed \$25,000.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-O-1243 (16) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into Amendment No. 4 with Formmaker Software, Inc. for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management to extend the term of the agreement on a month-to-month basis for a period not to exceed six (6) months; to waive the Article X Procurement and Real Estate Code of the City of Atlanta Code or Ordinances; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-O-1315 (17) An Ordinance by **Councilmember Michael Julian Bond** directing the Chief Financial Officer to review all charges made to all accounts in each Council Members Department Centers and make the necessary adjustments to reimburse or charge each account that contains erroneous charges dating back to the beginning of the current council term; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 12-R-0997 (1) A Resolution by **City Utilities Committee** authorizing Renewal No. 1 with MWH/Khafra, JV, for FC-4343, Program Management Services, on behalf of the Department of Watershed Management and to appropriate an amount not to exceed \$7,000,000.00 for the term of Renewal No. 1; all contracted work will be charged to and paid from the listed Fund, Department Organization, Account Number and PTAE0 Number; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Watson.

SEE CITY UTILITIES COMMITTEE REPORT

- 12-R-1163 (2) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor or his designee to execute a Contract with CMES, Inc., for FC-5606, Bolton Road Marietta Boulevard Intersection Improvements Project, Project Number CSST-0006-00(261), P.I. No. 0006261, on behalf of the Department of Public Works, in an amount not to exceed \$1,389,608.70; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers listed; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

- 12-R-1253 (3) A Resolution by **Councilmembers Alex Wan and Aaron Watson as Substituted by City Utilities Committee** establishing the Peachtree Creek South Fork Relief Storage and Pumping Station Technical Advisory Committee for the purpose of assisting the City in reviewing proposed Design and Scope of Work to ensure the use of best practices for Construction Management and Storage Tank are being used; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-R-1265 (4) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into an Intergovernmental Agreement with the State of Georgia Department of Transportation to relocate City of Atlanta Water Mains and related facilities in conjunction with GDOT Project BHNLB-9073-00(016) & BHNLB-9073-00(018), PI#752086-/752560, Fulton County to replace State Route 999 (City Street) and 3586 (Spring Street) at Southern Railroad – CSX Railroad Bridge, on behalf of the Department of Watershed Management, for an estimated amount not to exceed \$125,037.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number and PTAE0 Number listed; and for other purposes.

ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

- 12-R-1266 (5) A Resolution by **City Utilities Committee** authorizing the Mayor to accept and receive Technical Assistance from the United States Environmental Protection Agency to evaluate Green Infrastructure Projects identified in Park Pride's Proctor Creek/North Avenue Watershed Basin; a Green Infrastructure Vision on behalf of the Department of Watershed Management; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 12-R-1268 (6) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into contractual agreements with Resources for Residents, Inc., and Historic District Development Corporation for projects under the 2010 and 2011 Community Housing Development Set-Aside Home Capital Funds Allocation for the purpose of providing affordable housing and related development activities in Atlanta; all work to be charged to and paid from accounts listed below; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

- 12-R-1278 (7) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the City of Atlanta Municipal Court, to execute Temporary Service Contracts with sixteen (16) retired City of Atlanta ("City") Police Officers for the purpose of providing Professional Security Services at the Municipal Court of Atlanta for a period of one (1) year, in an amount not to exceed \$844,106.00. All costs to be charged to Fund, Department Account and Function Activity Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1279 (8) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the Metro Atlanta Urban Areas Security Initiative to expend \$85,000.00 of Homeland Security Grant Program funding on behalf of the Atlanta Police Department for equipment to enhance police response capabilities to terrorist attacks, pursuant to the Urban Areas Security Initiative; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1280 (9) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the Metro Atlanta Urban Areas Security Initiative to expend \$1,250,005.00 of Homeland Security Grant Program funding on behalf of the Atlanta Police Department for equipment to enhance police response capabilities to terrorist attacks, pursuant to the Urban Areas Security Initiative; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1282 (10) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of John Wood v. City of Atlanta, Civil Action File No. 2011-EV-012453, Fulton County State Court, in the total amount of \$70,000.00; authorizing said payment to be paid from Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

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CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 12-R-1191 (11) A **Substitute** Resolution by **Transportation Committee** increasing the Compensation Limit for Contract No. FC-3007000002; Comprehensive Environmental Services, with Environmental Strategies for the Airport's Future, a Joint Venture, in an amount of \$1,000,000.00 to provide environmental services for the Department of Aviation on a Task Order basis. All services shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-R-1274 (12) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Silver Airways Corp., for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-R-1275 (13) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Holder-Moody-Bryson-Benchmark, a Joint Venture, to provide Pre-Construction Services for Project Number FC-5621, Concourse "C" Midpoint Expansion Project at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$349,997.00. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-R-1310 (14) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement covering approximately 170 square feet of floor space in the North Terminal Building of Hartsfield-Jackson Atlanta International Airport with DAL Global Services, LLC; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-R-1323 (15) A Resolution by **Councilmember Cleta Winslow** requesting that the Mayor or his designee conduct a Traffic Study for the purpose of gathering data to support making the intersection of Venetian Drive, SW at Willowbrook Drive, SW and Westridge Road, SW an All-Way Stop; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-R-1101 (16) A **Substitute (#2)** Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to designate alternative funding sources for Cooperative Purchasing Agreement Number COA-5772-PL, which utilizes the State of California's Fast Open Contracts Utilization Services Contract Number 2009177, with AT&T Communication Systems Southeast d/b/a AT&T Datacom for the purchase of an Interactive Voice Response System for the Municipal Court of the City of Atlanta on behalf of the Department of Information Technology, in an amount not to exceed \$187,102.00; this new project cost amount reflects an \$11,591.99 price increase due to the June 28, 2012 AT&T Datacom Change Request Form Number 001 which will increase the Interactive Voice Response System options specified in the original April 16, 2012 Statement of Work from six (6) to nine (9) months while adding a spanish-language option to said system; all contracted work shall be charged to and paid from the FDOA Numbers listed.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

12-R-1270 (17) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor, on behalf of the City of Atlanta to enter into a Voluntary Compliance Agreement with the U.S. Department of Housing and Urban Development with a term of three (3) years, in response to the City of Atlanta's Civil Rights Compliance Review; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

12-R-1272 (18) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to execute a Contractual Agreement with Colony Regency Development, Inc. on behalf of the Department of Aviation, for implementation of Noise Insulation Measures for Regency Park Apartments Complex, pursuant to Section 2-1191.1 of the Code of Ordinances of the City of Atlanta, Georgia, Special Procurement, and to reimburse Colony Regency Development, Inc. in an amount not to exceed \$8,665,000.00, to be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-R-1283 (19) A Resolution by **Finance Executive Committee** authorizing the Mayor to enter into an Agreement with Somerset Technology Group, LLC d/b/a Winning Strategies ITS, LLC via Cooperative Purchase Agreement Number FC-6050, utilizing General Services Administration Contract No. GS-35F-0132X, on behalf of the Department of Watershed Management to provide Active Directory Migration and Domain Consolidation Services in an amount not to exceed \$148,500.00; all work shall be charged to and paid from the FDOA Numbers listed; to amend and replace Resolution 12-R-0920; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations:

- 12-R-1284 (1) Claim of **Misty Ngoc Nguyen, through her attorney, Palazzola Law Firm (DWM/NA)**, for bodily injury alleged to have been sustained from an automobile accident on May 6, 2011 at South Gordon Road and Songwood Drive. **\$4,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1285 (2) Claim of **Michelle Ngoc Nguyen, through her attorney, Palazzola Law Firm (DWM/NA)**, for bodily injury alleged to have been sustained from an automobile accident on May 6, 2011 at South Gordon Road and Songwood Drive. **\$4,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1286 (3) Claim of **Shaundrell Westbrook, through her attorney, Sheryl Burke (DPW/04)**, for bodily injury sustained as a result of tripping and falling on April 6, 2011 at 360 McDaniel Street. **\$3,100.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations: (Cont'd)

- 12-R-1287 (4) Claim of **Omer F. Baris (AFR/02)**, for property damage alleged to have been sustained as a result of an automobile accident on May 6, 2012 at Forsyth and Walton Streets. **\$1,485.86**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1288 (5) Claim of **Libra Brittian Royster (DPW/09)**, for property damage sustained as a result of driving over a pothole on January 23, 2012 at 1193 Collier Road. **\$597.27**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1289 (6) Claim of **Rickey Clark (APD/09)**, for property damage sustained as a result of property destruction on January 4, 2012 at 3493 Donald Lee Hollowell Parkway. **\$549.90**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

Claims with unfavorable recommendations:

- 12-R-1290 (7) Claim of **Ike Joseph, Jr., through his attorney, L. Chris Stewart (NA/NA)**, for bodily injury allegedly sustained as a result of walking into an uncovered water meter on September 26, 2010 at 2037 West Woodbury Avenue, East Point. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**
0 NAYS
- 12-R-1291 (8) Claim of **Jonathan Hoye (NA/NA)**, for property damage allegedly sustained as a result of driving over a raised water valve cover on December 16, 2011 at Clairmont Road at Dresden Drive. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**
0 NAYS
- 12-R-1292 (9) Claim of **William Williamson, through his insurance Sedgwick (NA/NA)**, for damages alleged to have been sustained as the result of a storm drain at 2420 Druid Hills Road. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;**
0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1293 (10) Claim of **Margaret E. Pettigrew, through her attorney, Kenneth C. Pollock (NA/03)**, for bodily injury alleged to have been sustained from falling on the sidewalk on September 19, 2010 at 1 Georgia Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1294 (11) Claim of **Sara Clopton (NA/05)**, for property damage alleged to have been sustained as a result of a tree that fell on August 1, 2012 at 1096 Hardee Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1295 (12) Claim of **Shequita Walker, through her attorney, Tiffany Williams Roberts (APD/02)**, for bodily injury allegedly sustained as a result of an arrest on April 21, 2011 at 463 Boulevard.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1296 (13) Claim of **Tony Phipps (APD/02)**, for damage alleged to have been sustained on January 18, 2012 at 150 Garnett Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1297 (14) Claim of **Chloe Jones, a minor, through her attorney, Ronnie E. Mabra, Jr. (APD/04)**, for bodily injury allegedly sustained as a result of a vehicular accident February 7, 2011 at 1117 Lee Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1298 (15) Claim of **Coretta Jenkins (APD/04)**, for property damage allegedly sustained as a result of a vehicular accident on March 4, 2012 at 1125 Cascade Circle.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1299 (16) Claim of **Aqueelah Sims and Jamel Hill, through their attorney, Jack Morse (APD/10)**, for bodily injury allegedly sustained as a result of a vehicular accident on March 24, 2009 at 3201 Martin Luther King, Jr. Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1300 (17) Claim of **Barto Mitcham, through his attorney, The McAleer Law Firm, P.C. (DOC/02)**, for personal injury alleged to have been sustained on October 18, 2010 at 254 Peachtree Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1301 (18) Claim of **Vineda Diamond (DPRCA/10)**, for bodily injury allegedly sustained as a result of a slip and fall on June 21, 2012 at the Adamsville Recreation Center, 3201 Martin Luther King, Jr. Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1302 (19) Claim of **John Muller (DPW/02)**, for bodily injury allegedly sustained as a result of a trip and fall on March 31, 2011 at 7th Street at Juniper Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1303 (20) Claim of **William Salomone, Jr. (DPW/08)**, for property damage allegedly sustained as a result of driving over a pothole on February 28, 2011 at 2969 Andrews Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1304 (21) Claim of **Bonita Chandler (DPW/12)**, for property damage allegedly sustained as a result of driving over a pothole on January 20, 2011 at Perkerson Road at Sylvan Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1305 (22) Claim of **Ida's Downtown Bar & Grill (DWM/02)**, for property damage allegedly sustained as a result of a leaking fire hydrant on November 7, 2011 at 121 Martin Luther King, Jr. Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS
- 12-R-1306 (23) Claim of **Danielle and Stephen Lam, through their attorneys, Weissman Nowack Curry & Wilco, P. C. (DWM/06)**, for damages alleged to have been sustained as a result of stream buffer on June 4, 2012 at 848 Highland Terrace.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1307 (24) Claim of **Roderick O'Savio, through his attorney, John B. Merchant, III (DWM/06)**, for bodily injury allegedly sustained as a result of a walking into a damaged water meter box on August 7, 2010 at 1023 West Peachtree Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 12-R-1308 (25) Claim of **Sidney Welch (DWM/06)**, for property damage allegedly sustained as a result of a sewer backup on January 6, 2012 at 6 Barksdale Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**
- 12-R-1309 (26) Claim of **Sule Carpenter, through his attorney, Christopher Simon (DWM/02)**, for bodily injury allegedly sustained as a result of riding his bike over a catch basin on March 16, 2011 at 400 North Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

CONSENT AGENDA SECTION II

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

All items on Consent Agenda Section II; (1) through (05) as follows, were Referred to the appropriate Committees by a single roll call vote of 13 yeas (Councilmembers Smith, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 nays.

- 12-O-1264 (1) An Ordinance by **City Utilities Committee** authorizing the renaming of Henry Ford, II Avenue/South Central Avenue to Ferdinand Porsche Avenue by and through action of the Commissioner of the Department of Public Works or designee; and for other purposes. **(Advertised for a Public Hearing 10/9/12 at 9:30 a.m. in Committee Room #2)**
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 12-O-1267 (2) An Ordinance by **Community Development/Human Resources Committee** to correct Ordinance 12-O-0812 adopted by City Council July 2, 2012 and approved per City Charter Section 2-403 July 11, 2012, correcting the Oracle Fund Number GL Project Number and GL Funding Source Number transferring \$40,000.00 of anticipations and appropriations to POHL Real Estate, LLC; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

- 12-O-1281 (3) An Ordinance by **Public Safety and Legal Administration Committee** amending the FY13 (Intergovernmental Grant Fund) Budget for the City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations in the amount of \$126,980.00, from the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD") for the purpose of continuing Clinical Assessment Services for Criminal Defendants participating in Community Court; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-O-1276 (4) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and accept approximately 1.01 acre of property located on 0 Loidans Drive, Atlanta, Georgia, Parcel Identification Number 17-0042-0003-030-8, ("The Property"), from the Fulton County/City of Atlanta Land Bank Authority, Inc. ("LBA"), in exchange for the City reimbursing the LBA to perform Quiet Title for the Property, and for the City to perform due diligence and to close the transaction in an amount not to exceed \$25,000.00, for the purpose of creating a new park in City Council District 7. Costs shall be paid from the account numbers below; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 12-O-1277 (5) An Ordinance by **Finance/Executive Committee** to amend the FY2013 (General Fund) Budget by transferring from appropriations in the amount of \$52,039.00 from the Department of Public Works to the Department of Human Resources in order to provide funding for a partially unfunded personnel position; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMITTEE REPORTS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1) **JOYCE SHEPERD, CHAIR**

Attendance at the September 25, 2012 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Shook, Winslow, Hall and Young

Absent: None

ORDINANCES FOR SECOND READING

Ordinances For Second Reading; (1) through (02) as follows, were Filed by a single roll call vote of 11 yeas *(Councilmembers Smith, Young, Winslow, Wan, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 nays.*

10-O-1986 (1) An Ordinance by **Councilmembers H. Lamar Willis, Ivory L. Young, Jr., Aaron Watson, Carla Smith, Kwanza Hall, C. T. Martin, Natalyn M. Archibong and Michael J. Bond** to amend Section 110-38, entitled "Functions and Duties of Bureau of Cultural Affairs" of the Code of Ordinances of the City of Atlanta, Georgia so as to add a new Subsection (7) which shall authorize the Bureau of Cultural Affairs to administer a Public Art Murals Program; to waive conflicting ordinances; and for other purposes.
FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10-O-1987 (2) An Ordinance by **Councilmembers H. Lamar Willis, Ivory L. Young, Jr., Aaron Watson, Carla Smith, Kwanza Hall, C. T. Martin, Natalyn M. Archibong and Michael J. Bond as Substituted by Community Development/Human Resources Committee** to amend Chapter 46, entitled "Civic and Cultural Affairs" of the Code of Ordinances of the City of Atlanta, Georgia by creating a new Article IV to be entitled "Public Art Murals"; to provide for the structure and framework which shall govern the administration of the Public Art Murals Program; to waive conflicting ordinances; and for other purposes.
FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2) **JOYCE SHEPERD, CHAIR**

ORDINANCES FOR SECOND READING (CONT'D)

11-O-1248 (3)
CDP-11-06

A Substitute(#2) Ordinance by Community

Development/Human Resources Committee to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate properties that are located at 690 Lindberg Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road, from the "High Density Residential" Land Use Designation to the "High Density Mixed Use" and "Very High Density Residential" Land Use Designations (Z-11-19); and for other purposes. **(Public Hearings held 9/12/11 and 3/12/12) (Forwarded with no recommendation by CD/HR Committee 9/11/12) (Referred back by Council 9/17/12)**

Chairperson Sheperd sounded the caption to ordinance 11-O-1248 and stated the item was forwarded with No Recommendation from committee. Councilmember Watson was then recognized and made a Motion to Adopt on Substitute. It was properly Seconded and FAILED by a roll call vote of 7 yeas (Councilmembers Young, Winslow, Martin, Bottoms, Sheperd, Watson and Willis); 6 nays (Councilmembers Smith, Wan, Shook, Adrean, Moore and Bond). Following, Councilmember Shook made a Motion to File. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 2 nays.

FILED BY A ROLL CALL VOTE OF 11 YEAS; (Councilmembers Smith, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Bond, Watson and Willis); 2 NAYS; (Councilmembers Young and Sheperd)

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (3)
JOYCE SHEPERD, CHAIR

RESOLUTION

12-R-1269 (1)

A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a contractual agreement with the Urban Residential Finance Authority of the City of Atlanta for Project Number HM-10-48 for the purpose of completing the development of affordable rental housing units; and for other purposes.

Chairperson Sheperd sounded the caption to resolution 12-R-1269 and stated the item was forwarded on Condition (agreement be attached). The condition being met, Ms. Sheperd made a Motion to Adopt. The Motion then CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook,
Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and
Willis); 0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1) **ALEX WAN, CHAIR**

Attendance at the September 26, 2012 meeting of the Zoning Committee was as follows:

Present: Councilmembers Wan (Chair), Bottoms, Shook, Young, Watson, Willis and Smith

Absent: None

ORDINANCES FOR SECOND READING

11-O-1067 (1)
Z-11-19 An **Amended** Ordinance by **Zoning Committee** to rezone property known as **690 Lindbergh Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road**, from the SPI-15 Subarea 8 (Special Public Interest Lindbergh Transit Station Area, Subarea 8, Lindberg Residential) to the SPI-15 Subarea 3 (Special Public Interest Lindbergh Transit Station Area Subarea 3 Piedmont Commercial) Zoning District; fronting approximately 1,500 feet on the north side of Lindbergh Drive, approximately 1,200 feet on the south side of Morosgo Drive, and approximately 800 feet on the west side of Adina Drive north, and 60 feet on the east side of Piedmont Road. **(Forwarded with no recommendation by Zoning Committee 9/12/12) (Referred back by Full Council 9/17/12)**

Area: Approximately 21.87 Acres
Land Lot: 48, 17th District, Fulton County, Georgia
Owner: Buckhead at Lindbergh, LLC, Buckhead South, LLC, and San Lucia Land, LLC
NPU-B Council District 7

Chairperson Wan sounded the caption to ordinance 11-O-1067 and stated the item was forwarded with No Recommendation as Amended on Condition by the committee. Mr. Wan, as prerogative as Chair, made a Motion to File. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 2 nays.

FILED AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS;
(Councilmembers Smith, Hall, Wan, Shook, Adrean, Moore, Bottoms, Bond, Watson and Willis); 2 NAYS (Councilmembers Young and Martin)

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2) **ALEX WAN, CHAIR**

ORDINANCES FOR SECOND READING (CONT'D)

Ordinances; (2) through (03) as follows, were Adopted by a single roll call vote of 11 yeas *(Councilmembers Smith, Young, Winslow, Wan, Adrean, Moore, Martin, Bottoms, Bond, Watson and Willis); 0 nays.*

12-O-1319 (2) An Ordinance by **Councilmember Felicia A. Moore** correcting
Z-12-01/Z-08-14 Ordinance 12-O-0156, adopted by City Council May 21, 2012
approved per the City Charter Section 2-403 on May 30, 2012
rezoning property located at **1185 Collier Road, NW**, which
rezoned said property from the MR-3-C (Multifamily Residential-
Conditional) to the MR-3-C (Multifamily Residential-Conditional)
so that the conditions are further clarified regarding the publicly
accessible streets; and for other purposes.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

12-O-1322 (3) An Ordinance by **Councilmember Kwanza Hall** authorizing the
installation of Public Art ("Elevate South Broad Mural") at 64, 72,
79, 90, 92, 94, 98 and 100 on Broad Street, SW as pursuant to
Code Section 16-28.025 of the 1982 Zoning Ordinance of the City
of Atlanta; and for other purposes.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

RESOLUTION

12-R-1320 (1) A Resolution by **Councilmember Howard Shook** appointing
additional members to the SPI-9 Buckhead Village District
Development Review Committee.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean,
Moore, Martin, Sheperd, Bond and Willis); 0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3) ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING

Ordinances For First Reading; (1) through (02) as follows, were Referred to the appropriate Committees by a single roll call vote of 11 yeas *(Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean, Moore, Sheperd, Bond, Watson and Willis); 0 nays.*

12-O-1326 (1)
Z-12-32

An Ordinance by **Zoning Committee** to rezone from the MR-2 (Multi-Family Residential), MR-2-C (Multi-Family Residential-Conditional) and MRC-2-C (Mixed Residential Commercial-Conditional) Districts to the MRC-2-C (Mixed Residential Commercial-Conditional) District, property located at **2626 Burtz Street, 2590 Burtz Street, 2580 Burtz Street, 1884 Hollywood Road, 2633 and 2641 Burtz Street, 2615 Burtz Street, 2622 Peyton Road, 2612 Peyton Road, 2614 Peyton Road, 2616 Peyton Road, 2597 Burtz Street and 1900, 1906 and 1910 Hollywood Road and 2585 Burtz Street**, approximately 443.6 feet on the west side of Hollywood Road beginning 78 feet from the southwest corner of Peyton Road.

Depth: Varies
Area: Approximately 10.50 Acres LandLot: 252, 17th District, Fulton County, Georgia
Owner; Bolton Park, L.P.
Applicant: Bolton Park, L.P.
NPU-D Council District 9

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

12-O-1327 (2)
U-12-19

An Ordinance by **Zoning Committee** granting a Special Use Permit for a Processing Operation Facility pursuant to Section 16-16.005(1)(n) of the Zoning Ordinance, property located at **1313 Sylvan Road, NW**, fronting approximately 215.30 feet on the west side of Sylvan Road and approximately 560 feet on the south side of Cox Avenue.

Depth: Varies
Area: Approximately 2.5 Acres
Land Lot: 120, 14th District, Fulton, County, GA
Owner: 1313 Sylvan Road, LLC- John Colquitt as Manager
Applicant: Frances Boahene
NPU-X Council District 12

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1) **MICHAEL J. BOND, CHAIR**

Attendance at the September 25, 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Bond (Chair), Martin, Wan, Young, Winslow and Sheperd

Absent: Councilmember Willis

ORDINANCES FOR SECOND READING

12-O-1158 (1) An Ordinance by **Public Safety and Legal Administration Committee** to amend Part II Chapter 43-1 of the Code of Ordinances of the City of Atlanta, Georgia Entitled Commercial Solicitation so as to improve and streamline the enforcement of Chapter 43; to modify the penalties for violations; to waive conflicting ordinances; and for other purposes.
FILED BY A ROLL CALL VOTE OF 11 YEAS *(Councilmembers Smith, Hall, Young, Winslow, Adrean, Moore, Martin, Sheperd, Bond, Watson, and Willis);* **0 NAYS**

10/01/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2) **MICHAEL J. BOND, CHAIR**

ORDINANCES FOR SECOND READING (CONT'D)

12-O-1251 (2) An Ordinance by **Councilmember Cleta Winslow as Substituted by Public Safety and Legal Administration Committee** to amend Chapter 10, Article II, Section 10-92 (b) of the City of Atlanta Code of Ordinances, so as to provide an exemption from the distance requirements listed in Section 10-88.1 for package stores licensed to sell malt beverages and/or wine by the package for an establishments located at **556 Northside Drive, SW**; and for other purposes.

Chairperson Bond sounded the caption to ordinance 12-O-1251 and stated the committee recommendation was Favorable. Following, Councilmember Winslow was recognized and made a Motion to bring forth a Substitute as Amended. It was Seconded by Councilmember Smith and **CARRIED by a roll call vote of 10 yeas** (*Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean, Martin, Sheperd, Bond and Willis*); **1 nay** (*Councilmember Moore*). **The Substitute was before Council. A Motion to Adopt on Substitute as Amended was then Moved. It was properly Seconded and an extensive discussion ensued. After which, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 11 yeas; 2 nays.**

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; (*Councilmembers Smith, Hall, Young, Winslow, Shook, Adrean, Martin, Bottoms, Sheperd, Bond and Watson*); **2 NAYS;** (*Councilmembers Wan and Moore*)

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (3) **MICHAEL J. BOND, CHAIR**

ORDINANCES FOR SECOND READING (CONT'D)

12-O-1324 (3) An Ordinance by **Councilmembers Keisha Lance Bottoms and Michael J. Bond as Substituted by Public Safety and Legal Administration Committee** to repeal Chapter 43, (Commercial Solicitation), in its entirety and to amend Chapter 106, (Offenses and Miscellaneous Provisions), Article III, (Offenses Against Public Order), Section 106-85, to outlaw monetary solicitation in certain locations and manners; to repeal conflicting ordinances; and for other purposes.

Chairperson Bond sounded the caption to ordinance 12-O-1324 and stated the recommendation from committee was Favorable on Substitute. A discussion ensued. Thereafter, the Motion to Adopt on Substitute CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook,
Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and
Willis); 0 NAYS

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the September 25, 2012 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Martin, Adrean, Smith and Watson

Absent: Councilmember Willis

ORDINANCE FOR SECOND READING

12-O-0357 (1) An Ordinance by **Councilmembers Joyce M. Sheperd and Felicia A. Moore as Substituted by City Utilities Committee** to repeal Ordinance 02-O-0342, adopted by the Atlanta City Council on March 18, 2002 and approved on March 26, 2002, pertaining to the establishment of procedures for enforcing standards for collecting, handling, storing and disposing of scrap tires in the City of Atlanta, to introduce a revised scrap tires procedures and requirements ordinance, to be inserted into the City Code at Chapter 130 (Solid Waste Management), at Article II and Title "Scrap Tire Enforcement" beginning at currently Reserved Code Sections 130-28 through 130-35; and for other purposes.
REFERRED SUBSTITUTE TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 0 NAYS

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (2)

NATALYN M. ARCHIBONG, CHAIR

ITEM REMOVED FROM CONSENT AGENDA

12-R-0997 (1) A Resolution by **City Utilities Committee** authorizing Renewal No. 1 with MWH/Khafra, JV, for FC-4343, Program Management Services, on behalf of the Department of Watershed Management and to appropriate an amount not to exceed \$7,000,000.00 for the term of Renewal No. 1; all contracted work will be charged to and paid from the listed Fund, Department Organization, Account Number and PTAE0 Number; and for other purposes.

The above item was removed from the Consent Agenda by request of Mr. Watson. Vice-Chairperson Watson sounded the caption to resolution 12-R-0997 and offered an Amendment to input the Account Numbers. The Amendment then CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis); 0 nays. Subsequently, Vice-Chairperson Watson made a Motion to Adopt as Amended. The Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean,
Moore, Martin, Sheperd, Bond, Watson and Willis); 0 NAYS

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the September 26, 2012 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Adrean, Bottoms and Smith

Absent: Councilmembers Archibong and Bond

The Council's standing Transportation Committee did not deliver a report at this meeting.

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)

FELICIA A. MOORE, CHAIR

Attendance at the September 26, 2012 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Chair), Shook, Martin, Hall, Watson, Adrean and Bond

Absent: None

REPORT

12-TR-1328 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item to various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

FILED BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Adrean, Moore, Martin, Sheperd, Bond, Watson and Willis; 0 NAYS

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1) **YOLANDA ADREAN, CHAIR**

Attendance at the October 01, 2012 meeting of the Committee on Council was as follows:

Present: Councilmembers Adrean (Chair), Sheperd, Winslow and Moore

Absent: Councilmembers Archibong, Bottoms and Hall

COMMUNICATIONS

12-C-1159 (1) A Communication by **City Auditor Leslie Ward** submitting the implementation of Audit Recommendations Report for the Department of Aviation. **(Recommendation to file by Finance/Executive Committee 9/26/12.)**
FILED BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Sheperd, Bond and Watson); 0 NAYS

Communications; (2) through (03) as follows, were Confirmed by a single roll call vote of 13 yeas *(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson); 0 nays.*

12-C-1263 (2) A Communication by **Councilmembers Natalyn Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large** submitting the appointment of Mr. Freddie Styles to the People TV Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee 9/25/12.)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

12-C-1325 (3) A Communication by **Councilmembers Felicia A. Moore, C. T. Martin, Keisha Lance Bottoms, Joyce M. Sheperd and H. Lamar Willis** submitting Ms. Christy Garrison-Harrison as their appointee to the Commission to honor Atlanta's First African-American Fire Fighters and Fire Station #16; and for other purposes. **(Favorable by Public Safety & Legal Administration Committee 9/25/12.)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

PERSONAL PAPERS

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS

RESOLUTION/ADOPTED

- 12-R-1398 (1) A Resolution by **Councilmembers Felicia A. Moore, Keisha Lance Bottoms, Yolanda Adrean, C. T. Martin, Cleta Winslow, H. Lamar Willis, Carla Smith, Alex Wan, Joyce M. Sheperd, Aaron Watson, Kwanza Hall, Michael Julian Bond, Howard Shook and Ivory Lee Young, Jr.** on behalf of the Alzheimer's Association, Georgia Chapter, authorizing City Hall to "Go Purple" for the month of November; to support the National Alzheimer's Awareness Month in their efforts to advance research, enhance care and support, and raise public awareness about the issue of Alzheimer's Disease; and for other purposes.

Councilmember Moore made a Motion to Adopt resolution 12-R-1398. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); **0 NAYS**

ORDINANCES/REFERRED

- 12-O-1399 (1) An Ordinance by **Councilmembers Yolanda Adrean, Felicia A. Moore and Alex Wan** authorizing the Chief Financial Officer to establish a separate cost center under the Atlanta City Council Director to properly account for the Office of Communications; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

- 12-O-1400 (2) An Ordinance by **Councilmembers Yolanda Adrean and Felicia A. Moore** to provide for the remittance of monthly reports of building permit applications received and building permits issued by Council District for non-residential development by the Office of Buildings to members of the Atlanta City Council to allow members to share pertinent information of development with their constituents; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

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Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-1401 (3) An Ordinance by **Councilmember Yolanda Adrean** authorizing the Mayor or his designee to correct the City of Atlanta Official Neighborhood Boundary Map in accordance with Ordinance 01-O-1336 for Memorial Park and to confirm the boundaries between Brandon, Memorial Park and Woodfield Neighborhoods in accordance with Exhibit "A."

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-O-1404 (4) An Ordinance by **Councilmember Keisha Lance Bottoms** to impose penalties for excessive growth of grass/weeds on private, residential property; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

12-R-1402 (1) A Resolution by **Councilmembers Cleta Winslow and Carla Smith** to confirm the appointment of Micah Rowland to the Stadium Neighborhoods Tax Allocation District (TAD) Advisory Committee; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-R-1403 (2) A Resolution by **Councilmembers Michael Julian Bond, Kwanza Hall, Carla Smith, Cleta Winslow, Yolanda Adrean, Howard Shook, Felicia A. Moore, Joyce M. Sheperd, H. Lamar Willis, Ivory Lee Young, Jr., Aaron Watson, C. T. Martin and Alex Wan** accepting the recommendations of the committee on the Appeal for Human Rights-Atlanta Student Movement Commission; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

10/01/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

ADJOURNMENT

There being no further business to discuss, the October 01, 2012 meeting of the Atlanta City Council was adjourned at 4:20 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (E); Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (14).